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RESPONSE - NOTICE  
OF MISSING PARTS  
PATENT

Atty Docket No.: A33474-PCT-USA-A - 068528.0103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Higuchi *et al*  
Serial No. : 10/086,913 Examiner : (to be assigned)  
Filed : March 1, 2002 Group Art Unit : 1614  
For : PREVENTION AND TREATMENT OF MYCOPLASMA-  
ASSOCIATED DISEASES

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION UNDER 37 C.F.R. 1.53(f)

**BY EXPRESS MAIL - LABEL NO.: ET346773305US**

September 27, 2002

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, DC 20231

Sir:

Responsive to a Notice to File Missing Parts of Nonprovisional Application under 37 C.F.R. 1.53 (b) dated April 1, 2002, a copy of which is enclosed, is a Combined Declaration and Power of Attorney referring to the above-identified application by one or more of the following in compliance with 37 C.F.R. 1.63:

- ☒ [X] Name of inventor and application serial number;
- ☒ [X] Name of inventor, attorney docket number which was on the application as filed, and filing date of the application;
- ☒ [X] Name of inventor, title of invention and filing date;
- ☐ [] Name of inventor, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oath or declaration;
- ☐ [] Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

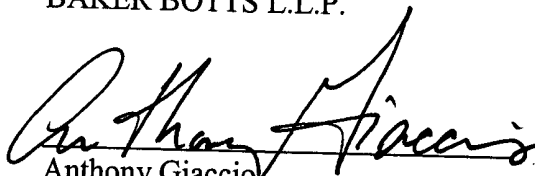
Adjustment Date: 10/04/2002 YPOLITE2  
10/02/2002 YPOLITE1 00000023 024377 10086913  
02 FC:118 720.00 CR -720.00 DP

Also enclosed are:

1. ☒ A fee payment in the amount of \$ 130.00  
☒ \$130 - Other than Small Entity  
☐ \$ 65 - Small Entity  
representing payment of the surcharge  
due for late filing of the Declaration  
pursuant to 37 C.F.R. 1.16(e);
  2. ☒ A four-month extension of time to file the Response  
to Missing Parts is respectfully requested.  
The required fee, calculated pursuant to  
1.136(a), is enclosed in the amount of \$720.00
  3. ☐ Other             
\$
- TOTAL FEE \$850.00

- ☒ Enclosed is a check for \$850.00 in payment of the above-specified fees.
- ☒ The Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
BAKER BOTTS L.L.P.

  
Anthony Giaccio  
Patent Office Reg. No. 39,684

Attorney for Applicant  
(212) 408-2500

#5



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/086,913	03/01/2002	Maria de Lourdes Higuchi	A33474-PCT-USA-A-068528.0

CONFIRMATION NO. 1698

## FORMALITIES LETTER



\*OC000000007754103\*

BAKER BOTTS L.L.P.  
30 ROCKEFELLER PLAZA  
44TH FLOOR  
NEW YORK, NY 10112-0228

Date Mailed: 04/01/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

Refund Ref:  
10/04/2002 YPOLITE1 0000121478 NF

CHECK Refund Total: \$65.00

*A copy of this notice MUST be returned with the reply.*

Y.G.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/02/2002 YPOLITE1-00000023-024377 10085913  
01-FC-105 130.00-00  
Adjustment date: 10/04/2002 YPOLITE2  
10/02/2002 YPOLITE1-00000023-024377 10085913  
01-FC-105 130.00-00  
10/04/2002 YPOLITE1 00000001 10085913  
01-FC-205 65.00-00  
02-FC-205 750.00-00